

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

**CURTIS WAYNE CLIFTON
ADC #650436**

PLAINTIFF

v.

No. 3:15-cv-31-DPM-BD

**OCTAVIOUS BAILEY, C.O., Mississippi
County Detention Center; ALONZO
CUMMINGS, C.O., Mississippi County
Detention Center; PEGGY SOWARD,
Sergeant, Mississippi County Detention
Center; LUTHER WHITFIELD, Lieutenant,
Mississippi County Detention Center; and
MISSISSIPPI COUNTY DETENTION CENTER**

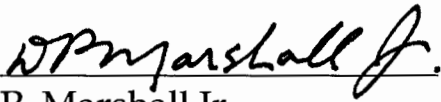
DEFENDANTS

ORDER

Opposed partial recommendation, *No. 6*, adopted on *de novo* review. FED. R. CIV. P. 72(b)(3). Clifton's objection, *No. 8*, is overruled. Assuming that the defendants violated the facility's professional standards, challenging their actions is not a claim about a county policy or custom. *Jenkins v. County of Hennepin, Minnesota*, 557 F.3d 628, 632 (8th Cir. 2009). Clifton's claims against all defendants in their official capacities are dismissed without prejudice. His § 1983 claims against the Mississippi County Detention Center are dismissed

with prejudice because the jail can't be sued.

So Ordered.



D.P. Marshall Jr.
United States District Judge

17 March 2015